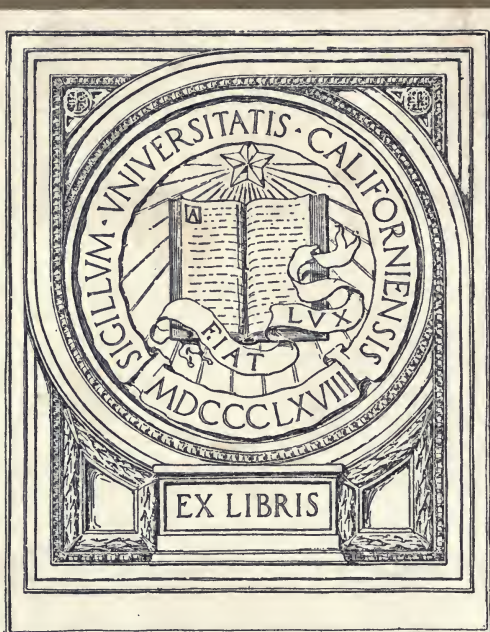


E

668

.B6

x



BANCROFT LIBRARY

The Bancroft Library

No. 1014

1719103
Bates

AN ADDRESS.

To the Honest and Patriotic Members of the late Union Party:

When I make an appeal to the honest and patriotic members of the late Union party, I cannot but think that I am addressing a large and influential portion of my fellow-citizens.

I say the *late* Union party—I say so, because I consider that a party known by that name, composed of very heterogeneous materials existed during the late civil war, whose sole bond of union was a common desire to conduct that war to a successful conclusion; which object having been effected, the partnership expired by virtue of the very terms by which it was created. It is beyond a doubt, that those who were banded together during the war entertained political opinions of various shades and complexions, embracing Whigs, Democrats, Abolitionists, Free Soilers, Republicans, etc., etc. Many honest and earnest supporters of the war were bitterly opposed to the fanaticism of the Abolitionists; many who thought slavery an evil, were opposed to the doctrine of universal brotherhood, negro equality, and negro suffrage. To these dissentients, I propose to demonstrate, that owing to fortuitous circumstances growing out of the war, the fanatical element of the Union party was in the ascendant, and that this element is the leading one in the party which has nominated General Grant for the Presidency.

Now then, to those who have been abolitionists from the start; to those who sink every other consideration, in the desire to elevate the negro to the social and political condition of the white race, I have nothing to say: without impugning, in any way, the motives of this class, I pass them by as lost and gone, to all sense of logic and of reason. I should as soon think of addressing the inmates of a lunatic asylum.

But, as to that other class to which I have alluded, those who hold in abhorrence the fanaticism of the Abolitionist; who, recognizing the fact, which reason and experience alike establish, that when two races that cannot amalgamate come together, the inferior must be subordinated to the superior race; who, holding nothing in common with the peculiar tenets of this faction, nevertheless co-operated with it in conducting the late civil war to a successful termination—to such, I propose to argue that the party represented by the majority in Congress, and by Grant and Colfax, are no longer the Union party to which their allegiance was pledged; that in fact, it is a party without principle, kept together only by the cohesive desire of public plunder; and that the measures

by which they propose to sustain themselves are subversive of the best interests of the Republic. I do not say that all of the supporters of Grant are devoid of principle. The best portion of them, like Sumner, and Phillips, and Wade, and Greeley, are crazy fanatics; men who, beginning with a misguided, but philanthropic desire to enfranchise the negro, have, by continued dwelling upon a single subject, become men of one idea; which is only another name for madness.

It is proper that he who seeks the co-operation of his fellow-citizens in effecting a political object, should frankly define his own position and fairly disclose his antecedents.

The writer belongs to the straitest sect of the "States-Rights" school. He thinks, a general confederation of the North American States eminently conducive to the happiness and prosperity of the whole; and he *knows*, that dissolution and separation are the inevitable consequences of anything like a consolidated government. He thinks, that the late civil war was the result of a silly and unconstitutional hostility to the institution of slavery; and that the only permanent political effect of the war will be that resulting from the overthrow of that institution. He considers that the Southern people, with much to complain of and much of evil to dread from the political success of their avowed enemies, were, perhaps—judging at least by the result—rash, hasty, and unwise in the means they adopted for the cure of the evil.

You will perceive, then, that there are many questions upon which you and he are as far apart as the north and south poles—questions upon which he and his party are apparently beaten for the present, but which they cherish as the sure and only means of preserving the unity of the American people. Upon these principles, at the proper time and place, we mean to oppose you, and, with God's help, to overthrow you. But this is not the time and place for the encounter. We are both now beset by a foe who threatens both of us, and who is a deadlier enemy to both than we can possibly be to each other. Our mutual relations to the Radical party are the same that two sects of religionists bear to an infidel, who proposes to overthrow all religion. I declare to you who differ so much with me on the subject of American government, that there is an enemy abroad, nay, at our very door, who threatens to overthrow all government. Before we enter upon our separate encounter, let us get rid of this common enemy.

I say, then, that the living issue of the day is not the old issue of the distribution of powers between the State and Federal Governments—an issue upon which we have met on many a well-fought field; but the present great, and for the time, all-absorbing question is, how are peace, harmony and prosperity to be restored to our distracted and suffering country?

There are two great problems staring us in the face, which we are to solve by our votes in the coming election. There are two novelties in our political condition of a most embarrassing nature, the mode of dealing with which, in reality, constitutes the great difference between the political parties of the day. Th

Presidential election establishes either the one policy or the other. I do not believe that the one party is more corrupt or more wicked than the other. The men who have been administering this government are, God knows, corrupt and wicked enough; but I have little hopes of bettering this state of things by the election of their opponents. The demoralization of the day is the demoralization of the American people; and I am afraid it is much too wide and deep to be confined to any one party. Be that as it may, we have two great problems before us; the one growing out of the anomalous condition of the, so-called, Rebel States; the other, arising from the magnitude of the public debt. The proper modes of dealing with these two subjects form the staple of difference between the two parties who are seeking our suffrages for their respective candidates. It is to us they appeal, and it is for us to decide between them. The Radicals propose to treat the Southern States as conquered provinces, and to use the negro as an engine by which to subject them to Radical rule. The Democrats virtually propose to recognize these States as members of the Union, entitled to all the rights and privileges of any other member of the confederation. As this is, perhaps, the most important of the two great questions of the day, we will, with your leave, stop to weigh the relative value of these very opposite propositions. I shall disregard, as wholly unworthy the consideration of any sensible man, all the silly clap-trap that is often addressed to you by the demagogues of both parties. I shall not appeal, on the one hand, to the passions aroused and inflamed during the war—hardly excusable in a christian people under any possible state of excitement, and altogether unpardonable in moments of calmness and deliberation—nor shall I, on the other hand, deal in general vituperation of the conduct, objects and motives of the party whose policy I oppose; but I will treat the subject as fairly and as sensibly as I know how. I am not the hired advocate of either party; and neither of them, in general politics, profess the sentiments I avow.

The Radical party consider it absolutely necessary to subject the Southern States to military rule. They say, "Yes, but only temporarily." We ask: For what length of time? The answer is: "Until, by military power, we have inaugurated a civil government; which is to be so constructed as to put the whole power into the hands of a miserable minority of the white inhabitants of those States." This is the unvarnished truth, and it is the answer that any candid Radical will make to our question of the proposed duration of the existing military governments in the Southern States. The Radical scheme is, then, to continue indefinitely a form of government in which the white majority shall be subjected to a minority composed of a few white adventurers and a mass of illiterate, ignorant blacks. I submit to every candid reader, is not this the Radical programme?

This question being answered, as it must be, in the affirmative, the next question we have to ask is, or rather the next questions are—first, is this programme constitutional? secondly, is it wise?

Do not be alarmed. I do not propose to go very deeply into the Constitution of the United States, or to dwell very long upon it. I well know, that the great mass of people neither comprehend, nor are capable of comprehending, that very unique instrument; but whilst its subtleties are perhaps beyond your reach, you are capable of understanding some of the plainest principles of civil liberty embodied in its provisions. There are certain inhibitions upon the powers of Congress contained in the amendments to the Constitution that amount to a "bill of rights," and they are often referred to under that name. For instance: it is provided that no man, unless he be in the military or naval service of the United States, shall be deprived of the right of trial by jury. This is a declaration, that all men are entitled to jury trial. But under this military government eight millions of men are denied the right of trial by jury. It is said that the people of the Southern States are a conquered people, and until they are admitted into the Union, are not entitled to the protection of the Constitution. The condition of the South is one that certainly is unprecedented. I believe that, technically speaking, the eleven Southern States are conquered territory, and that they lost their rights as members of the confederation, and can only regain them by admission through Congress. But I believe this, because I believe, that until they seceded they remained sovereign and independent nations, notwithstanding their close alliance with the other sovereign States of the North American continent. But *you* must be very careful how you make this admission—indeed, it would at once commit you to the party to which I belong, and against which you have been fighting all your life. More than that; there are many legal propositions, such as, that the conqueror succeeds to the debts, as well as to the estate of the conquered, that might prove to be very awkward and embarrassing consequences of such a doctrine. You must remember that, to say that these are a conquered people, is to admit that they became a separate and foreign nation. Then, was there no crime in resisting your invasion of their territory, then was there no rebellion, and no treason. Where, let us ask, would our radical orators be, if the words "*copperheads*," *traitors*, *rebels*, were clipped out of their vocabulary.

But, granting that the so-called rebel States are foreign and conquered nations, it by no means follows, that Congress may establish over them a despotic government. That they cannot become States of the Confederacy without the consent of Congress, is unquestionable, because to Congress alone is granted the power of admission. And the authority to establish some form of government over the territories has, from the necessity of the case, been so long acquiesced in, that it is almost too late to altogether deny it; but it is equally well settled that this power is by no means despotic, and that in its exercise care must be taken that no man is deprived of those rights secured to all by those provisions which, as I have said before, are sometimes referred to as constituting the "Federal Bill of Rights." That these provisions enure to the benefit of all persons within the

Federal jurisdiction was unequivocally admitted by Judge Curtis in his opinion in the Dred Scott case. This was a dissenting opinion, and it was the corner-stone of the Republican faith, and Judge Curtis was the Magnus Apollo of the free-soilers. The dominion of the government of the United States is the dominion of civil liberty, and to acquire territory is to extend the area of freedom. Wherever your arms may penetrate, they carry to every individual who may be brought within your jurisdiction, if charged with crime, the right to a "speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed." The Constitution of the United States was established to secure the "blessings of liberty," and when those who derive all their powers from it establish a tyranny, they are not only acting, as Mr. Stevens said, outside of it, but in direct opposition to its most sacred injunctions.

Mr. Douglas went much further and contended, that there was an inherent, inalienable right in every community to regulate its domestic affairs in its own way; that this right was openly proclaimed in the Declaration of Independence, and that there was nothing in the Constitution of the United States to take it away. This was his great doctrine of "Popular Sovereignty" applied to the people of the territories of the United States. With what face can the followers of Mr. Douglas uphold the constitutionality of the Reconstruction Act, an Act which establishes over the territories of the United States an arbitrary military government, depriving individuals of trial by jury, and entirely ignoring their right to manage their domestic affairs in their own way?

But, say the advocates of the bill, these people are rebels and traitors who have forfeited all right to constitutional protection. But they cannot be a conquered people and rebels too, because the two things are in their nature entirely incompatible. Unless we mean to be contradictory and wholly unreasonable, we must elect to hold them responsible either as a nation or as individuals, and having elected, we must adhere to our choice. And it will not do to consider them, now, in the one light, and, now, in the other; because the moment national responsibility begins, individual responsibility ceases. I repeat this, and want you to understand it. To illustrate: Citizens of Great Britain have come to this country and committed homicides—they have been held individually responsible, and have been punished for murder. When, however, they have been acting under the direction and authority of their own government, as in case of war, it is the government, and not the individual, that is held responsible. In recognizing the act as one of a national character, you necessarily exonerate the individual, because it is his duty to render obedience to the government of which he is a citizen, and unless he could plead the orders of his own government to a charge of individual crime, this anomaly would result, that there would be no way by which he could escape becoming a criminal; every man would be entangled in meshes of guilt from which there would be no possibility of escape—to be punished by one government if he did not obey its orders, by the other if he did.

Nor is it necessary that the government which commands his obedience have an absolute right to demand it—it is enough that the individual is within the jurisdiction, and consequently within the power of an organized *de facto* government; for the anomaly referred to above, which is the basis of the rule, would ensue equally in the case of a *de facto* or *de jure* government. If, then, the people of these Southern States were at war with the United States in obedience to the commands of a *de facto* government, they are guilty of no crime, because they have not been free agents. The unreasoning reader will ask, Could they not have withdrawn themselves from the jurisdiction of the Confederate government? But the law is not unreasoning; the makers of the law knew the inconvenience and the sacrifice resulting from a sudden and forced change of residence, and, under such circumstances, wisely excuse the man who remains and obeys the commands which he has no power to resist. But you will urge, that resistance to lawful authority is criminal, and as governments are myths, except for the individuals of which they are composed, unless the individual can be reached, crime would go unpunished. That is true, and whenever crime is committed, individuals must be responsible for it. But all we urge is, that they cannot be held responsible both individually and collectively; for this would be to punish them twice for the same offence. If you elect to treat them collectively, the punishment awarded is *war*, and if they have suffered the punishment, the offence is expiated, and they cannot, by the laws of any civilized nation, be punished twice for the same offence. I say, we must elect to treat the so-called rebels either collectively or individually, to hold them responsible for a national or individual offence; and the consequences of the one holding being so very different from those of the other, it will not do to confound them and substitute the one for the other, as caprice or a spirit of revenge may dictate. Thus, we cannot justify the confiscation or capture of the property of a female, or infant, innocent of any actual participation in the war, upon the ground that it is the property of the enemy, and that the citizen necessarily partakes of the national guilt; and, at the same time, charge another citizen of the same country with the crime of treason. If one be guilty, the other *must* be innocent.

And, too, we are to remember that if the members of a community are individually guilty of the highest of crimes, that fact neither deprives the individuals nor the community of those constitutional safeguards that are provided for the security of the stranger within your gates, although he should happen to be the vilest of malefactors.

I have not gone very deeply into this subject, because I am aware that constitutional questions are generally little suited to either the taste or comprehension of a large portion of our countrymen. You live, it is true, under a very complex and intricate form of government, and it can hardly be expected that all those of even liberal education, should be able to plumb the depths of constitution law. But the citizens of a Republic administer

the government, and to do so intelligently, it is absolutely necessary that they should understand the elementary principles of their Constitution.

In the simplest and plainest way I know how, I have endeavored to show, that if the conduct of the Southern people is to be visited upon them collectively, they have expiated their offence by the infliction of war, and their reduction to a territorial condition; if they are to be considered as individual criminals, they are to be indicted, tried and condemned under, and by virtue of Acts of Congress, none of which, it is well known, prescribe as a punishment for their offence, loss of political privileges. In neither aspect, can the establishment of a despotic anti-republican government over them be constitutional; and the frankest and ablest of the Radicals, the late Mr. Stevens, always admitted that if the Southern people had not lost or forfeited their claim to constitutional protection, this Act was null and void. Nor is this all. This Act is made to operate not only upon those persons actually engaged in the support of the Confederate Government, but upon all persons within the territorial limits of these States. Loyal whites, unoffending blacks, and the Northern emigrant, who has exercised his undoubted right of entering the territories his good right arm has helped to conquer. All within the magic circle are paralysed and subjected to the despotic wand of these political magicians.

But it is urged, and that by one of the ablest Radicals of your own State, himself a scholar and a gentleman, that the condition of things in the South is one not foreseen by the framers of the Constitution, and not provided for in that instrument. And then, upon some vague and undefined principle of right and wrong, it is claimed that the Congress of the United States, being charged with the care of the supreme safety of the Republic, may deal as they please with circumstances not foreseen and not provided for in the Constitution. The powers of Congress, it is said, must necessarily expand with the wants and requirements of the country.

This is a popular and most dangerous heresy, and whenever it receives the sanction of the people and becomes the settled doctrine of the country, there is an end, of course, to constitutional government. If the powers of the Federal Government can be illimitably expanded upon the occurrence of novel and unforeseen events, and Congress is to determine when such a state of things exists, then is the Congress of the United States vested with despotic power over the lives and fortunes of the people of the United States, and the sooner the Constitution is burned the better. I cannot argue such a proposition as this. He to whom its absurdity is not apparent, is a fit subject for the new government it is proposed to inaugurate, and if of such a majority of the American people is composed, I admit that some form of despotism is best suited to their condition. In our desire to escape from the manifest evils of the centrifugal tendencies of our confederation, we are likely to take refuge in the still more dangerous centripetal vortex.

So much for the constitutionality of the measures that the Radical party having inaugurated, propose to continue for the government of eight millions of the American people. To my mind, these measures are not less *impolitic* than *unconstitutional*.

We have in these Southern States a population of eight millions of whites, occupying the most fertile portion of the United States—a people second to none in energy, culture and courage; a race that has furnished its full quota of statesmen, warriors and scholars. Shall we make of such a people friends or enemies? Let England's experience with Ireland answer the question. We know what the products of this region have been, and how much it has contributed to the national wealth. For want of it the commerce and manufactures of the North and East are languishing. Is the Radical policy likely to restore it to us? We see the result of three years' operation of the measures they have inaugurated. The country, the finest region of the globe, a desolation and a waste; labor disorganized and society upturned; and these results the fruits of a system that can be maintained only at an expense of a hundred millions per annum; so that, instead of being a source of national wealth, this magnificent region is a national curse. Instead of eight millions of fellow-citizens contributing by their labor to the growth, strength and prosperity of the country, we have eight millions of discontented and restless subjects, ready to revolt at the first opportunity against a bondage, to which if they would willingly submit, they would be unworthy ever to become members of a Confederate Republic. Was there ever madness like this upon the face of the earth? You make a prison-house of the fairest portion of your dominions, and spend a hundred millions per annum in guarding your prisoners.

How shall we restore prosperity to a region whose capability of production equals that of one half of our entire country? Certainly, not by reducing its inhabitants to slavery. When were a people ever prosperous who were not free?

But, say the advocates of the Radical scheme, we know that a military government is expensive, that it is odious and the very opposite to that form which the United States is to guarantee to every State in the Union; but, say they, this monstrosity is only temporary and provisional—even now we are replacing these military with civil governments. And what kind of civil government, pray, is it that they propose to substitute for the bayonet? Why, such an one as can only be developed and sustained at the point of the bayonet—a civil government established and maintained in opposition to the determined will of seven eighths of the white people that are to be subjected to its operation—a civil government that falls as soon as the bayonets with which it is propped are withdrawn—a civil government that is twice as expensive, twice as oppressive, and five times as odious as the one it is intended to supplant. So true is this, that a prayer came up to Congress from this poor, oppressed people, begging and entreating that they might be continued under the

existing military government, rather than that they should be turned over to the mercy of the blacks and the worthless Northern adventurers, who are to administer this free and republican government with which our hopes are flattered.

But the means by which this bad end of subjugation is to be attained, are even more objectionable than the object for which they are used. The rifle and the bayonet inaugurated the system, and drum-head courts-martial were substituted for the jury box. But this species of territorial government is too odious to be permanent, and the ugly features of this system had to be veiled, whilst the compulsory element was not to be impaired—the substance of tyranny was to be disguised under the mask of liberty. Hence, we have all the form of civil representative government; a government, however, in which the intelligence, the wealth, and the virtue of the country are disfranchised. It is, indeed, a representative Government, but it represents nothing but vice and ignorance; and this, because, in that section, it is only amongst the vicious and ignorant that the Radical party finds its supporters.

The Radicals repel the charge that the masses of the Southern people are disfranchised because, if allowed to vote they would not support the Radical ticket; they say, they are disfranchised because they have committed treason; but this is a mere pretence, and deceives no one; everybody knows that Congress is ready to extend the right of suffrage to any rebel who promises to vote their ticket; they have done so in many cases, and there is no instance where the party has refused the boon when they have been satisfied with the political character of the applicant. Besides, the Supreme Court of the United States have virtually adjudged, that to deny the right of suffrage because of a crime previously committed, is an *ex post facto* law, which is expressly contrary to the letter of the Constitution.

I have now, I think, clearly proved to you that the only object of these obnoxious measures for the government of the Southern States, was the perpetuation of party dominion; and that to this end, the Constitution, the peace and the quiet of the country, have been sacrificed.

But it is pretended that the hostile and rebellious spirit exhibited by the Southern people after the close of the war, rendered it absolutely necessary to keep them under military surveillance. This is not true. The people of the South were tired, and God knows they had reason to be tired, of the war. They made the war in defence, as they conceived, of their legal right to the institution of slavery. The masses of the Southern people entertained a romantic love of the Union, and the only cause for alienation was what they considered the unconstitutional assaults upon an institution inseparably interwoven with their political and social systems. When they found this institution irretrievably gone, they considered that the only cause that made separation desirable had been removed, and they were willing and ready to return to the Union. Of course, like all wars, this civil war had engendered some bitterness of feeling;

but there was none that time would not soon have allayed, and that kindness and liberality would not have quickly effaced. That such was the state of things in December, 1865, and that at that period there was no need for the exercise of military power, is evidenced by the report of General Grant to the President, upon his return from his tour of observation in the Southern States. The extreme Radicals of that day, not foreseeing what has come to pass, denounced this as a whitewashing report. What do they say to it now? Is their candidate unworthy of belief? But, say they, whatever may have been the feeling then, it is one of bitter hostility now. Well, and if it be so, what, pray, but the wrongs and oppressions heaped upon them by the Radical party has wrought the change? Can it be desirable to continue a system which leads to such a result? Is ill-will and discontent with the Government upon the part of so large and so powerful a portion of your fellow-citizens, a state of mind which you desire either to engender or to perpetuate? Have we not had a sufficient trial of the compulsory system; and is it not time, let me ask you, that we had tried the christian virtue of conciliation? Is it not the part of true statesmanship to redress, rather than to excite, grievances? To my mind, to hope for the restoration of a broken fellowship from "pounding," is about as reasonable as to expect a good result from the application of a sledge-hammer to a broken bowl.

The truth is, there is a bitter feeling pervading the Southern mind. Of course there is. The people of that section would be more or less than mortal were it otherwise. But it is not against the Government, but against the bad and weak men who have of late administered it, that this feeling is directed. These people dislike the authors of the insults and oppressions to which they have been subjected, as good men throughout the world ought to dislike them. But they are just in that condition, heart-broken, but not broken-spirited, when further persecution may make them desperate, and when a little justice and a little liberality would make them your friends forever.

I have shown you that the Radical plan for the government of the Southern States is unconstitutional and impolitic. I will now endeavor to prove to you that it is impracticable.

The whole plan is based upon an enforced supremacy of a negro minority over a white majority. The elevation of the negro is a chimera of a fanatical brain. He is doomed, forever doomed, in this country at least, to be a hewer of wood and drawer of water for his white brother; and this, in consequence of a prejudice against him so strong and so universal that to hope to stem it is as useless as it would be to attempt to arrest the Atlantic tide.

The proposition is to make a voter, nay a legislator of and a governor of an individual who is everywhere refused admission to the humblest mechanical guild. What watchmaker, what joiner, or what bricklayer will take a negro apprentice; or should he become a journeyman, what white man would work in company with him? He is a pariah and an outcast; he may shave your beard, cut your hair, plough your fields, clean your shoes,

or brush your clothes; but higher than these menial employments he must not aspire. So true is this, that a lot of these poor creatures, living in Washington, within the very verge of the Capitol, under the protecting smiles of a Radical Congress, sent up to that Congress, last winter a petition, setting forth their grievances, the chiefest of which was that there, in the citadel of freedom, of equal rights and universal brotherhood, nothing but the most menial employments were open to them. And for this crying evil, the learning of Sumner, and the ingenuity of Fessenden, and the zeal of Wilson, could find no remedy. How is it possible that out of such stuff as this you are going to create governors of the white race? It is a proposition against which all the prejudices of the American people cry aloud; it is a proposition so monstrous and so unnatural that all the military power of France would not suffice to enforce it in America.

We are sometimes asked—"Are there not negroes who are the equals, morally and intellectually, of white men, that are admitted to suffrage?" Undoubtedly there are, but the difference is, that the white man, or his descendants, by culture and education, may rise to the highest social position; this the negro can never attain; and it is both unwise and unsafe to admit *him* to the political, who is precluded by the insurmountable barrier of race from the social circle. I say unsafe, because, where two races come together and amalgamation is impossible, there must be either submission or resistance on the part of the weaker race. Under such circumstances, it is the height of folly to engender the spirit of resistance and then to strengthen it. These two results are the necessary consequence of education and the enjoyment of political and social power.

Upon the question of the mode of dealing with the Southern States, there is no middle course, no half-way ground. They must be admitted into full fellowship as equal members of the confederacy, or they must be kept under strict military subjection. We must make of them friends and allies, or we must treat them as enemies and prisoners of war. The Constitution, the nature and character of our institutions, forbid any measures intermediate these two extremes.

I believe that this is all I have to say to you concerning the unconstitutionality, the folly, and the impracticability of the Radical scheme of reconstruction. No good ever has, or ever can come of it.

Upon the subject of the public debt, I have little to say. The only question, in relation to it, upon which the two parties differ, and with which we have now to deal, are the propriety of taxing the government bonds, and the disposition to be made of the large class of these bonds, the principal of which is not specially provided for. The Democratic platform declares that the holder of government bonds ought to bear, proportionately with his fellow-citizens, the burdens of that government which affords protection to both alike; and it asserts that "where the obligations of the Government do not expressly state upon their face, or the law

under which they were issued, does not provide, that they shall be paid in coin, they ought, in right and justice, to be paid in the lawful money of the United States." The Radicals ignore both of these propositions.

These are interesting questions, and are not without their difficulties. Both propositions tend to equalize and lighten the public burdens, consummations highly desirable, if they can be obtained without a sacrifice of national faith.

The Act authorizing the issue of some of these bonds, declared that they should be free from State or Federal taxation. What is the force and effect of such a provision? With my construction of the Constitution of the United States, I cannot understand how the power of a State to subject to taxation any kind of property within its jurisdiction, can be limited by an Act of the Federal Congress. If the Federal authority may exempt one species of property, it may exempt all, and as no government could possibly exist without revenue, it follows, that the creature possesses the lawful power to destroy the creator. If Congress can exempt from taxation this species of property held within the limits of the State, then may they provide that the public lands may be exempted in the hands of an individual purchaser. This would be to authorize the Federal Government to build up in every State, a privileged class, who would enjoy all the benefits, without being subject to the burdens, of a State government. This, I think, is going a bow-shot beyond the most Federal decision of the Supreme Court of the United States, in its most Federal days.

Again, this pretended right of the bond-holder to be free from the exactions to which his fellow-citizens are subject, is the creature of legislation, and legislation, in its very nature, can never be irrevocable. Is it possible that an unwise or improvident legislature can bind its successors and fasten an intolerable burden upon posterity to the latest generation? That oftentimes a wise policy demands the tolerance of great inconvenience, when relief can only be obtained by the repeal of that class of laws, upon the faith of which individuals have contracted with the Government, is undoubted; but it is at last but a question of policy and the choice between two evils. There may be a law of this class that nobody would hesitate to repeal; there are hundreds of the same class that nobody would think of repealing.

Now, if this law, so far as the limitation upon the States is concerned, be unconstitutional, and, so far as the United States is concerned, be repealable, the original and present holders of the bonds must be presumed to have known these facts, and to have taken the bonds subject to all the consequences that might flow from them.

With respect to the proposition—to stop the interest upon the great mass of Government bonds, by discharging them as they become due, with non-interest paying greenbacks, before we can determine whether this measure, so fraught with relief to the tax-burdened masses, would be a breach of national faith—we must look at the conditions upon which these bonds

were originally taken. They were all issued under and by virtue of Acts of Congress, and the terms and conditions of payment can be none other than those therein specified. The case stands thus: By the Act commonly known as the "Legal Tender Act," it is provided that all debts, public and private, may be discharged in the currency known as "greenbacks." An Act of February 25th, 1862, provides for the payment of *interest*, in coin, on all bonds and notes of the Government then outstanding. These two are the general Acts affecting the currency in which principal and interest may be paid. The Act of March 3d, 1863, authorized the sale of seventy-five millions of bonds, bearing an interest of six per cent. On these the *principal* and interest are both made payable *in coin*; and, with the exception of the ten-forties issued under Act of March 3d, 1864, and a few five-twenties of 1864, these are the only bonds the principal of which is expressly declared to be payable in coin. All the other issues are based upon Acts providing for the payment of the *interest* in coin, leaving the principal subject to the general provisions of the Legal Tender Act.

It is under these circumstances that it is proposed to pay off, as they fall due, in legal tenders, all that large class of Government bonds the principal of which, by no express provision, is taken out of the purview of the Legal Tender Act. The advocates of this policy are not confined to the Democratic party. The late Mr. Stevens, and several other Radicals--some of their names would add nothing to the moral force of the argument--unequivocally declared that they might be so discharged, without violating either the letter or the spirit of the contract; and, indeed, it is difficult to see how it can be otherwise. With a knowledge of the law under which they were issued, which everybody is presumed, and must be presumed, to have known, these bonds were purchased. In gold, they were paid for at the rate of from 40 to 50 cents, an average, say, of 50 cents on the dollar. The holder, for five years, has drawn interest, in gold, at the rate of six cents on the hundred--that is, at the rate of twelve per cent per annum on his investment; and now, when it is proposed repay them in greenbacks, which in gold would be about 70 for his 50, the gentleman bond-holder becomes highly indignant, and charges the honest people of the country, who for five years have toiled and sweated in his service, with repudiation and breach of faith. What insatiate leeches are these, who are sucking the life-blood of the country!

One word more upon the subject of repudiation. It is an ugly word, and is expressive of an ugly thing. But it is enough to make one's gorge rise to see and hear the members of the present Congress turn up the whites of their eyes, draw down the corners of their mouths, and groan, at the very suggestion of repudiation. Why, they are covered all over, from the crowns of their heads to the soles of their feet, with the slime and filth of repudiation. They have repudiated the most honest portion of the public debt; they made it a condition precedent to the admission of the Southern States, that they should debase themselves

to their own level by an act of repudiation; and they lowered the standard of public and private morals by authorizing individuals to repudiate their debts. Each and every one of these charges I am prepared to substantiate.

First—When they passed the Legal Tender Act, they not only paid the then existing debts of the Government in a depreciated currency, but, they authorized and invited every citizen to do the same, a privilege of which, to their honor be it spoken, the people of California indignantly refused to avail themselves.

Secondly—I say that the Radical Congress has repudiated the most honest portion of the public debt. They have passed repeated Acts forbidding the Court of Claims and the Departments from taking cognizance of any claims, preferred even by loyal citizens, for any property taken and used by the army and navy during the war. These claims have been estimated to amount to three or four thousand millions. Mr. Stevens, the Chairman of the House Committee on Appropriations, reckoned them at the former sum; and Mr. Wilson, the Third Auditor, thinks they might be brought within the latter.

Now, if there is one portion of this people more entitled than another to the favorable regard of the Federal Government, one would suppose it to be that portion of the Southern people who remained true to the Federal cause. And yet, when they come up to the Capital and ask to be paid a fair compensation for their private property, taken for the public use, those who administer the government they helped to sustain turn their backs upon them, and refuse even to listen to them. And at whose instance and for whose benefit, think you, these acts of repudiation were passed? Why, it was done at the behest of these same bond-holders, who were afraid that the value of the public securities held by them would be impaired if the unaudited debt should even be audited. And it is these very same repudiating bond-holders who pretend to be horrified at what they unjustly stigmatize as the repudiating feature of the Democratic platform!

In all this I have stated nothing but facts, which an examination of the record will verify.

Far less objectionable is a military government, with the South in a state of pupillage, than these proposed civil governments, with the negro element incorporated into them. Under a military government the Southern people would have the sympathy of freemen throughout the world; but the suffering and the evil would be confined to their own borders. The moment you bring the negro upon the stage you force him upon us as a partner in the public councils. This is a point that was quite overlooked by the authors of the Chicago platform. It was a motley crew that met to frame this enunciation of principles. The only honest element in their composition was the original abolitionist, the negro absorbed fanatic. He was quickly disposed of. His doctrine of "impartial suffrage, and no distinction on account of race or color," was too unpopular to be embodied in an available platform. Notwithstanding, therefore, the distinguished ser-

vices of those shining lights, Sumner and Wade and Wilson and Chase, their notorious use of what had been the shibboleth of the party, was sufficient to taboo them and cause them to be postponed to a man thoroughly dyed in the aristocracy of the army, and one, strange to say, who had authorised Senator Doolittle to tell the people of Wisconsin that a persistence in the radical plan of reconstruction, would, in his opinion, result in the most deplorable consequences. So far the conduct of the members of the Chicago convention was unexceptionable. They ignored their fatal doctrine of the equality of races, and selected as their representative an individual avowedly opposed to their destructive measures. In this Phillips and Greeley charged them with a desertion of principle. Well would it have been had they stopped here. But whilst they abandoned the negro generally, because he was unpopular in the free States, they proclaimed their intention to make him an instrument of party control in the South. They said—We abandon the negro and the doctrine of the equality of races; we propose to give him the control of the white men of the South, not because of his merits, which, if asserted, would force us to claim for him the right of suffrage everywhere, but for the purpose of punishing rebels and as the only means of sustaining our party supremacy. This they considered would be unobjectionable to the voters of the Northern and Western States. Ohio, that had rejected the proposition of negro suffrage by fifty thousand votes, could not possibly object to having this great evil forced upon the people of the South. They made no account of a sympathy for the suffering of others; that was a feeling outlying the sphere of their humanity. But this they forgot, that if the people of Ohio were so bitterly opposed to negro participation in their State government, they could not but object to the introduction of this element into the Federal government. They forgot that it was against any governmental partnership with the negro, either State or Federal, that the people had so loudly proclaimed. And if you, the people of California, are unwilling that the negro should share with you in administering the powers of government, how can you support the party who are determined to make him your equal in the Federal legislature?

In view of the fact that there is nothing in the platform upon which Mr. Seymour stands to commit you to what you are pleased to call the heresy of secession; since, indeed, that "heresy" is therein explicitly repudiated, and that the only issues between the two parties are the distinct and opposite modes in which they propose to deal with the Southern question and the public debt, can you hesitate between them? I am no croaker; much less do I desire to appear as threatening the Radical party with forcible resistance to their administration of the government, should they succeed; but there are some measures so abhorrent to the prejudices of a minority, that they will not be yielded to a bare, or to an apparent, majority. To this class, in my humble judgment, belongs the proposition to elevate the negro over the white race at the South, a proposition that constitutes the corner stone of

the Radical programme. Upon this proposition the South is an unit, and the North and West, to say the least, are very nearly equally divided. It cannot possibly be carried out without engendering great excitement! Is there anything about the plan that justifies the risk we run in its enforcement. Quiet and peace, that quiet and peace for which we are longing, will never be restored to the country until the idea of putting the Chinese and the negro on a level with the white man, is abandoned, or, at least, removed from the political arena.

Upon the merits of the respective candidates I have little to say; indeed, before such important principles as are now at stake, individuals pale into insignificance. Mr. Seymour is one of the most accomplished statesmen of the age, with a character for integrity that the breath of calumny cannot sully. If ever there was a period in the history of our country when we needed the guiding hand of a statesman, that period is upon us. General Grant is without culture or political experience. We here in California have known him—he has lived in our midst. When we knew him, if by any chance he had received a nomination for supervisor of the county of San Francisco, the “People’s Party” would have indignantly denounced him as unfit by nature, education, or habits, for the position. I know of no improvement in him in any of these respects since that day.

It is sometimes said that General Grant is a conservative, and that he will never lend himself to the extreme views of the Radical party. I know nothing about General Grant to warrant the aspersion upon his integrity implied in this assertion. He accepted the nomination upon the Chicago platform; in doing so, he pledged himself to the doctrines and measures it announces as the principles and views of the party. It is these doctrines and measures that we arraign, and if General Grant holds other views upon which he intends, if elected, to administer the government, then is he a traitor, and unworthy the confidence or support of any party.

I have now, in a plain way, without figure, trope, or metaphor, placed my views before my countrymen; I express my own sentiments, and speak for myself alone. What I have written, I have written without conference with any other human being, and I can hardly hope that it will be entirely acceptable to either of the two parties into which the country is divided. I think by this time you will be satisfied that I have no selfish object in view, and that I have been moved to the course I have pursued solely by a desire to secure a common good to our common country; and with the hope that I have at least succeeded in inspiring that feeling, I take my leave of you. Knowing that the name of the author would add nothing to the weight of his argument, I am content to subscribe myself,

YOUR FELLOW-CITIZEN.

C. J. Bell



